

# ARIZONA STATE BOARD OF DISPENSING OPTICIANS

## BOARD MEETING MINUTES

September 7, 2016

The Arizona State Board of Dispensing Opticians and held a meeting at 1400 W. Washington, Conference Room B-1, Phoenix, Arizona 85007. The Board meeting commenced at 1:00 p.m.

BOARD MEMBERS PRESENT: D. Nyblade, Chairman, Licensed Optician  
S. Mayes, Vice-Chairman, Licensed Optician  
S. Coleman, Secretary, Licensed Optician  
E. Pettit, Licensed Optician  
D. Bright, Licensed Optician  
M. Searle, Public Member

ABSENT: none

OTHERS PRESENT: L. Scott, Executive Director  
S. Donald, Assistant Attorney General

1. Call to Order and Roll Call

Chairman Nyblade called the meeting to order at 1:00 p.m. and roll call was taken. Board members present at this time were Chairman Nyblade, Vice-Chairman Mayes, Secretary Coleman, Board member Pettit, Board member Bright, and Board member Searle.

2. Declaration of Conflicts of Interest

None noted

3. Approval of Minutes.

Vice-Chairman Mayes moved to approve of the minutes, of the Board meeting held on August 3, 2016. Board member Pettit seconded the motion and it carried.

**MINUTES**  
**September 7, 2016**  
**Page Two**

4. Agency Operations

A. Director's Report –

1. Request for Rulemaking Exemption – Ms Scott reported that the Cristina Corieri from the Governor's office has denied our request for an exemption to the rulemaking Moratorium. With the explanation that while the change in statute makes it possible, it does not make it mandatory to raise the continuing education requirements.
2. Vacancy on the Board – Ms Scott reported that the Governor's office has not replaced board member Mudd or re-appointed Chairman Nyblade. They did indicate that they have five applications for the vacant positions (all from licensed opticians) but they have not yet received recommendations from governor's office staff to make the appointments.

5. Possible Violations

- A. BJ's Food Mart – selling contact lenses – a response from BJ's Food Mart was received and indicated they will no longer be selling contacts.
- B. 16-008/009 – Alex Optical/Candappa – the investigator's report was reviewed and discussed. Investigator Jon Clark addressed the Board and answered any questions they had. Vice-Chairman Mayes moved to dismiss the complaint against Alex Optical and Mr. Candappa for lack of violation of statute or rule. Secretary Coleman seconded the motion and it passed.

6. Applications for Licensure

- A. Vice-Chairman Mayes moved to approve the applications for Establishment License for Lenscrafters at Macy's #8478 in Phoenix, and Visionworks #387 in Chandler. Board member Bright seconded the motion and it carried.

7. Review and Approval of Applicants who passed the Practical Examination

Vice Chairman Mayes moved to approve the following applicants for licensure, upon receipt of fee: Ashlee Howes, Shelley Jewell, Sharon Mathis, Robyn Pickett, Andrew Salvatico, Jeff Stirland, Alissa Steder, Joanna Banuelos, Amber Borucki, Jacqueline Figueroa, Miranda Hicks, Angela Mann, Dana Ortiz, Kirsten Poulin, and Avadina Tsosie. Board member Bright seconded the motion and it carried.

**MINUTES**  
**September 7, 2016**  
**Page Three**

8. Review of Decision

1. Lamar Guerra - Mr. Guerra addressed the Board with regards to his license denial. He explained the circumstances relating to the side effects of his medications that he is no longer taking and asked the board to reconsider reinstating his license.

The board recessed at 1:25pm to go into Executive Session for advice from Council. The Board returned to regular session at 1:34 pm

Secretary Coleman moved to reverse the decision to deny Mr. Guerra's license renewal based on the additional information provided by Mr. Guerra. Board Member Bright seconded the motion and it carried. Mr. Guerra's license is restored to active status.

10. Future Meeting Dates

- A. Regular Meetings: October 5, November 2, and December 7, 2016.

11. Future Agenda Items

Committee appointments  
Exam Review committee meeting

12. Call to the public

No one spoke up.

13. Meeting Adjourned

With no further business the meeting adjourned at 1:38 p.m.

Submitted by:  
Lori D. Scott  
Executive Director

Approved: \_\_\_\_\_  
Date: 10/5/16

*Lori D. Scott*